IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

APPEAL FROM ORDER NO.217 OF 2002

For Approval and Signature:

HON'BLE MR.JUSTICE K.S.JHAVERI

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

SAIYAD BABUBHAI W/O MARTUJAALI AMIRMIYA SAIYAD

Versus

SAIYAD YUSUFALI AMIRMIYA & ORS.

Appearance:

1. Appeal from Order No. 217 of 2002

MR. KANDARP D. ACHARYA for Appellant

MR. BHARAT JANI for Respondent Nos. 1,4

NOTICE NOT RECD BACK for Respondent No. 2

MR. NAGESH C. SOOD for Respondent No. 3

UNSERVED-EXPIRED (N) for Respondent No. 5

CORAM : HON'BLE MR.JUSTICE K.S.JHAVERI

Date of decision: 25/04/2005

COMMON ORAL JUDGEMENT

1. The appellant has preferred this Appeal From Order being aggrieved by the order dated 18th December,

2001 passed below Application-Exh.5 by the learned Civil Judge (S.D.), Patan in Special Civil Suit No.26 of 2001, whereby the said application was rejected.

2. I have heard learned Counsel for the parties and have perused the relevant documents on record. Without entering into the merits of the matter, the trial Court is directed to expedite the hearing of the suit, being Special Civil Suit No.26 of 2001, and to dispose it of within a period of six months, if it is already ripe for hearing; otherwise, within a period of two years from the date of receipt of writ of this order.

3. With the above observations and directions, the Appeal from Order stands disposed of. Office is directed to send writ of this order forthwith.

[K.S.Jhaveri, J.]
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